

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

ALLEN E. VAUGHN, JR.,)	
)	
Plaintiff,)	
vs.)	1:11-cv-0979-JMS-TAB
)	
INDIANA DEPT. OF CORRECTION, et al.,)	
)	
Defendants.)	

Entry and Order Dismissing Action

I.

Provisions of the Prison Litigation Reform Act of 1995 have been challenged as violative of constitutional rights of access to the courts, freedom of expression, equal protection, procedural due process, substantive due process, double jeopardy, and ex post facto provisions. These challenges have been uniformly rejected. *See, e.g., Welch v. Galie*, 207 F.3d 130, 131-32 (2d Cir. 2000); *Wilson v. Yaklich*, 148 F.3d 596, 606 (6th Cir. 1998); *Rivera v. Allin*, 144 F.3d 719, 721 (11th Cir. 1998); and *Hampton v. Hobbs*, 106 F.3d 1281, 1284-88 (6th Cir. 1997).

The plaintiff's challenge to provisions of this legislation is entirely without merit. Accordingly, the plaintiff's motion in support of such challenge [10] and his motion seeking intervention [9] are each **denied**.

II.

The plaintiff's motion for reconsideration [7] is **denied**. *See Patel v. Gonzales* 442 F.3d 1011, 1015-1016 (7th Cir. 2006) ("A motion to reconsider asks that a decision be reexamined in light of additional legal arguments, a change of law, or an argument that was overlooked earlier . . .").

III.

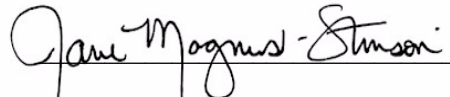
The plaintiff is a state prisoner whose request to proceed *in forma pauperis* was denied based on the determination that he was ineligible, based on 28 U.S.C. ' 1915(g), to proceed in that fashion. The plaintiff was given a period of time in which to pay the filing fee. He has failed do so. The dismissal of the action at this point is therefore mandated.

See *Sloan v. Lesza*, 181 F.3d 857, 858-59 (7th Cir. 1999) (dismissing appeal for deception about Astriking out® under 28 U.S.C. ' 1915(g)).

Judgment consistent with this Entry shall now issue.

IT IS SO ORDERED.

Date: 10/24/2011

A handwritten signature in cursive script, reading "Jane Magnus-Stinson", written over a horizontal line.

Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana